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11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN JOSE DIVISION**

14 IN RE: HIGH-TECH EMPLOYEE  
ANTITRUST LITIGATION

15 THIS DOCUMENT RELATES TO:  
16 ALL ACTIONS

**Master Docket No. 11-CV-2509-LHK**

**DECLARATION OF ERIC B. EVANS IN  
SUPPORT OF DEFENDANT GOOGLE  
INC.'S RESPONSE IN SUPPORT OF  
PLAINTIFFS' ADMINISTRATIVE  
MOTION TO SEAL EXHIBIT A TO  
THE MARCH 1, 2013 JOINT  
DISCOVERY STATUS REPORT**

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21 I, Eric B. Evans, declare as follows:

22 1. I am a partner with the law firm of Mayer Brown LLP, counsel for Defendant  
23 Google, Inc. ("Google") in the above-captioned matter. I am admitted to practice law before this  
24 Court. I submit this declaration in support of Defendant Google's Response in Support of  
25 Plaintiffs' Administrative Motion to Seal, Pursuant to Civil Local Rule 79-5(d), Exhibit A to the  
26 March 1, 2013 Joint Discovery Status Report ("Google's Response in Support of Motion to  
27 Seal") that is being filed concurrently herewith. As an attorney involved in the defense of this  
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1 action, unless otherwise stated, I have personal knowledge of the facts stated in this declaration  
2 and if called as a witness, I could and would competently testify to them.

3 2. I have read and reviewed Exhibit A to the March 1, 2013 Joint Discovery Status  
4 Report, which contains transcript excerpts from the depositions of Shona Brown on January 30,  
5 2013, and Alan Eustace on February 27, 2013. Select portions of these transcripts excerpts quote  
6 from or are relate to documents that Google has designated as Highly Confidential – Attorneys’  
7 Eyes;’ Only because those documents contain discussions concerning (1) the development and  
8 implementation of Google’s recruiting strategies and policies; (2) discussions about competitors’  
9 recruiting strategies; (3) identification of candidates for employment; (4) Google’s competitively  
10 sensitive relations with its business partners or (5) features of Google’s compensation programs.  
11 This information is similar to the competitively sensitive information that this Court has  
12 previously ruled could be sealed and for which Google has submitted numerous other sealing  
13 declarations. *See, e.g.* Declaration of Frank Wagner (Dkt. 261).

14 3. Accordingly, and for the reasons articulated in this Court’s January 15, 2013  
15 Order Granting in Part and Denying in Part Motions to Seal (Dkt. 273), these excerpts contain  
16 highly confidential information, and Google would suffer competitive harm if such excerpts  
17 were made public.

18 4. I declare under penalty of perjury under the laws of the United States of America  
19 that the foregoing is true and correct. Executed on March 8, 2013 in Palo Alto, California.

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21 s/ Eric B. Evans

22 Eric B. Evans  
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